

Warden Robert Pink and the Disputed Election of 1620

The histories of the two colleges founded by William of Wykeham, Winchester and New College, are inextricably linked in the early modern period, as at other times. As a consequence, the early modern records of New College can sometimes be supplemented in illuminating ways by records in other archives. One example of this is the interesting story of the controversial college election of 1620, which has left only cryptic traces in the records of New College itself, but can be told in full with reference to the register of Lancelot Andrewes, Bishop of Winchester and Visitor of Wykeham's foundations, which is stored on microfilm at Hampshire Record Office. Letters from the Bishop himself and from Robert Pink, the Warden of New College from 1617 to 1647, which were not recorded in the New College order book, are preserved in the episcopal register.

The controversy surrounding the 1620 election concerned the most serious of the many scandals which afflicted Winchester and New College in the early modern period: that of corrupt resignations. New College was statutorily limited to a membership of seventy fellows. Each year, six electors—the Warden of New College, two senior fellows known as the 'opposers', the Warden and Subwarden of Winchester, and the headmaster—met at Winchester College to elect scholars to New College. Each year an indenture would be drawn up by these electors. As Penry Williams confirms, they were 'in practice drawing up a waiting list, and there was no guarantee that its members might actually gain admission to New College'.¹ The scholars at the top of the 'waiting list', which was made up freshly every year after each election, could in theory expect to take their places at New College before those lower down. But it became a common practice, shortly before the annual election, for fellows of New College to resign their places on some pretence of having become ineligible, in return for a money payment from Winchester scholars who had already been elected to New College, but had not yet been able to take up their places there. With the connivance of the staff doing the electing, the purchasers were thus enabled (for a price) to jump ahead of others who had been, and were about to be, elected. This became known as 'inter-election'. To combat this problem, in 1610 Bishop Thomas Bilson required the Warden and Subwarden of New College in future 'to forbear the admitting of any voluntary confession of any fellow or scholler of yr howse to be made in the election weeke or the seaven weeks . . . praesedent', except by special permission of the Bishop.²

In July 1619, the Bishop of Winchester, Lancelot Andrewes, wrote to the Warden and Fellows of both the colleges of St Mary (that near Winchester, and that in Oxford) that, according to 'reports of sundry persons of the better sort', the recent elections had been marred by 'evill in the same kind', which, he informed them, 'bringeth much infamie and scandall to the creditt of the Colledges and may in time prove prejudiciall and dangerous to the very state of those so worthie foundations'.

The blame for the most part is laid upon certain inter-elecons there by you made upon making places void, or confessing them to be void at the instant, which cannot be but greatly suspicious in that they fall out euer to be made at one time of the yeare, and at no time els, but euen at the very time of the Supervision and election then in hand.

As the Bishop pointed out, the problem was far from novel:

¹ Penry Williams, 'Reformation to Reform, 1530–1850', in John Buxton and Penry Williams, eds, *New College Oxford 1379–1979* (Oxford, 1979), p. 52.

² NCA 957, p. 13 from end.

By divers records that haue ben shewed me of the Reverend Fathers my worthy predecessors, Bp Horne, Bp Cooper and Bp Bilson (the copies wherof I haue willed the Registrar to deliuer to Mr Warden of Winchester) it should seem that heretofore things haue not ben so well carried in the elecions either into the Colledge of Winchester, or from thence to New Colledge in Oxford, as had ben to be wished, but that corrupcion coloured by indirect courses hath formerly borne sway in them, dominatus pecunia saith Bp Horne, turpis locoque emptio et venditio, Bp Cooper; frequent buying and selling of resignations at excessiue prices, Bp Bilson.

Andrewes reconfirmed the injunctions of his predecessors, commanding that ‘there should be an utter cessacion of making any place voyd either by accepting any such corrupt resignacion, or by admitting any like corrupt confession of being married or contracted, entering into service, having more living than the Statutes beare, or (I wote not what) other fraudulent pretenses’.³

On 5 September 1620, however, the Warden of New College, Robert Pink, sent Andrewes a detailed description of ‘some passages in our last elecion at Winchester College’ which proved that the corruption was still running in much the same courses, despite the bishop’s letter of the previous year. Pink’s letter is a fascinating step-by-step account of how matters were arranged by corrupt fellows and staff members of both colleges.⁴ On 8 August, together with the opposers, Richard Payne MA and Thomas Meriat BCL, Pink arrived at Winchester College. That day the statutes concerning elections were read, and ‘we, as the manner is, gaue the Scholars of that College themes for their exercises’. The following day they sat in scrutiny, inquiring ‘into the state of the College, and into the demeanour of all sorts living in it’. On Thursday came the examination of the children who were candidates for election to Winchester College, and on Friday and Saturday examinations took place of the scholars seeking election to New College. ‘Then about eight a clock upon Saturday night, we all six Electors mett together for making up the elecion for both Colleges’.

Pink and his fellow electors soon agreed on which boys should be admitted to Winchester College, but when it came to the ‘indenture to Oxford’, a problem became apparent. Pink proposed first a scholar named Barker.

Next to him in order I moved for Rider, Miller, Wells, all Superannatts and all competently fitt for those places. Yet here we fell at difference, foure of the Electors, the two Opposers, Mr Subwarden and Mr Scholemaster, naming Edmunds, Sadler and Booth for the three first; some of them alleging, as they had done before to me more privately for them, that they should not stand long in the way to hinder any behind them, there being resignacions ready provided to speed them away. Whereunto I made answer that I could the lesse for those resignacions yield to haue those three in those places, and that the abuse would be as great to speed by Nominacions upon roll made respectively to resignacions forestalled to that purpose, as by way of Interelections, which had ben so often by others our honourable Visitors and so lately by your Lordship forbidden as dangerously scandalous to the foundations and preiudiciall to those who are poore and unhable to procure resignacions, how well soeuer otherwise they deserve prioritie in preferment. When they of their part would not yeild, and I had (as I thought) so good reason not to yield to them, after much arguing the matter, about eleven a clock at night we brake off for that time and departed. The next day, 13^o Augusti, about eight a clock in the evening, meeting as we had done before, those foure Electors standing close together for those three Scholars without respect to ffounders blood or to Superannatts, there could be no accord then neither.

³ Hampshire Record Office, M1032: Register of Lancelot Andrewes, fols. 138-39. The remainder of the citations in this essay are from the same source unless otherwise noted.

⁴ *ibid.*, fols. 163-64.

The next morning, Pink gave the two opposers from New College, men he was in daily contact with, a copy of Lancelot Andrewes's order against corruption, 'hoping thereby to reclayme them at least, at whose stiffnes in so foule a matter I was not a little greev'd'. But later on, when the electors met together again, there was no relenting by any of them.

Persuasion having failed, Warden Pink then played his trump card. He procured the services of a notary public,

and before him denounced to them, that the usuall time of the Elecion (for the Statute defines not punctually when it shall ende) but that the usuall time was now elapsed and the Nominacion of Scholars to Oxford not wholly agreed upon, no not by a maior part; and therefore that the making of that Nominacion belong'd (as I thought) to your Lordship our Visitour.

Thereupon Pink dramatically made his escape from Winchester College on horseback, leaving his colleagues frantically making up the indentures: 'they left of ceremonie and with more speede in papers to themselves made up the rest of the Nominacions'. His tactics were risky, but they worked:

the Nominacions were not ingrossed in Indentures as they ought by Statute to have ben before my departure from the College, wherby the Elecion hath euer been counted to be dissolved. Neither did any of those Electors at or before my departure legally require me to stay, or denounced that in penam contumacis they would proceed without me which hath ben done sometimes done [sic] there upon occasion; and by the omission whereof now there is (I am tould) a nullitie in this Elecion to Oxford.

The record of the election of 1620 in the register in New College's muniment collection bears silent testament to this adventure: unlike all the other elections, it is signed off only by the four electors who argued so strongly for Edmunds, Sadler and Booth: the opposers and the subwarden and headmaster of Winchester.⁵

Pink's account of the corruption did not end with his departure from Winchester: 'Straytway after my returne to the College there was a Resignacion offred me'. Pink

did not absolutely refuse it, but taking it into my hand crav'd some time to consider of it, telling the partie that when I should accept it, which would not be yet a while, I should happilie send for Barker, & not for Edmunds . . . the partie learning this, though he had in his paper profess'd to resigne pure, sponte, simpliciter, yet would not trust me with his resignation but desird to be in statu quo prius. One while I heare I shalbe sew'd at common lawe if I accept not resignacions when they are tendred me. I know not the comon law, but I am sure that our ffounder by his Statutes hath nowhere will'd and warranted me to void any place by resignacion.

Not knowing how to proceed or whether those named in the disputed indenture had any right to come to New College in the event of a vacancy, he resigned the matter into the jurisdiction of the Bishop.

Clearly, after the whistle had been blown in such spectacular fashion, Bishop Andrewes had to take action. His investigation into the matter took the form of 'Interrogatories ministred vnto Mr Richard Payne, Thomas Merryat the Opposers, Francis Markm Subwarden, and Hugh Robinson Schoole master of the College by Winchester touching the late Election

⁵ NCA 14101.

businesses', recorded in his register.⁶ These put the four electors on the spot as to whether they had heard of a compact for money being made to procure the resignations, and why Barker, a Founder's kinsman, was not chosen. They also reveal the names of New College fellows whose resignations had been purchased by Edmunds, Sadler and Booth: they were, respectively, Edmund Coles, Richard Flemming and Edmund Gray. Unfortunately, only part of the reply of Thomas Meriat is recorded in the register; Meriat insisted that 'he did refuse [Barker] partly because he thought he was not competent, eruditus in Gramatica and partly because there were 8 founders kinsmen already in Oxford College, which number must not be exceeded as he conceived'.⁷

It appears that the investigation came to nothing, and no consequences ensued for the corrupt members of staff. On 31 July 1621 Lancelot Andrewes wrote another letter to the Wardens and electors of both colleges which began with a statement that

It is not unknowne unto you that there came a complaint unto me of some offense offered at your last Elecion; the occasion of which complaint was (as I thinke) iust. Whereof taking notice it will not stand with my dutie to passe it ouer in silence, but to send you a timely warning to prevent the like, that so it may be but the error of that one yeare, and of that one Elecion and no more.⁸

This kind of language clearly indicates that they got away with it, presumably because those concerned denied everything, and nothing could be proved. In the letter Andrewes recapitulated the statutes requiring Founder's kin to be given preference, and insisted that there was no difference in his eyes between what had happened in 1620 and the former practice of inter-election:

if interelecting were held inconvenient because it carried with it a vehement suspicion and strong savour of corrupcion, preelecting (sure) doth no lesse. I see no difference betweene resigning a place before an interelecion, or after a preelecion. It is all one to make a place void before hand, to be sped by an interelecting; and before hand, to preelect into a place to be made void after.

Andrewes rehearsed the especially pernicious consequences of this corruption for poor scholars: if the selling of places be once permitted, he wrote, 'the first places shall euer go by purchase, and poore scholars unhable to contract, though of neuer so good desert, shall still be sett lower and lower in the Roll, till there be no more contracters left' – except that, as he went on to say, there would never be an end to the cycle of corruption:

if way be giuen to this, there will a wide dore be opened, neuer to be shutt more: for they that compound for places now, will looke another day to be compounded with for their places; and so this mischiefe run on without end; for what they did pay when they came in they will looke to be paid when they go out.

Andrewes concluded optimistically, but with a veiled threat: 'I doubt not they which did it, see their error by this, that I shall no more heare of the like, which I wish them to haue care of: for I would be loth to be enforced to thinke of any other course which they should not like so well of'.

⁶ Hampshire Record Office, M1032, fol. 167.

⁷ *ibid.*, fol. 168.

⁸ *ibid.*, fols. 168-70.

Given that there was no other mechanism for removing fellows of New College in a timely enough fashion to keep up with the annual elections, the sale of resignations was an almost inevitable development, a safety valve for the pressure building up in the system. But it was a far from perfect solution. By making wealth rather than ability the crucial factor, the sale of resignations produced the damaging consequences described by Lancelot Andrewes in his letter of 1619: ‘the superannuating, and so utter defeating of many of a toward witt of their preferment, and to the sending in their places others, which well might stay a longer time, being nothing so well grounded’.⁹ Despite repeated episcopal condemnations and the efforts of principled staff members like Robert Pink, however, corruption could not be eradicated. The ‘cash for resignations’ scandal was to blight elections to New College for years to come.¹⁰

Robert F. W. Smith

⁹ *ibid.*, fol. 138.

¹⁰ Williams, ‘Reformation to Reform, 1530–1850’, p. 52.